THE HON'BLE SRI JUSTICE K.C.BHANU

WRIT PETITION No.10036 of 2007

Dated 09-05-2007

Between:
Sultan Begum.

..... PETITIONERS

AND

Govt. of A.P. rep. By its Ssecretary, M.A.Dept., Secretariat, Hyderabad & others.

.....RESPONDENTS

THE HON'BLE SRI JUSTICE K.C.BHANU

WRIT PETITION No.10036 of 2007

O R D E R:

This writ petition is filed to declare the action of the third respondent in directing the petitioner to accept the structural value for the premises bearing Nos.22-5-583 to 585 situated at Etebar Chowk, Hyderabad as illegal, arbitrary and in contravention of Section 147 of the Hyderabad Municipal Corporation Act, 1955 (for short 'the Act').

Heard the learned counsel for the petitioner and the learned Government Pleader for Municipal Administration.

Having regard to the facts and circumstances of the case, I am of the opinion that if the petitioner is not inclined to accept the said proposal of entering into agreement under Section 146 of the Act, it is open for the petitioner to file her objections stating that she is not inclined to accept the proposal or enter into an agreement for settlement of compensation or avail the benefit under the Government Orders. However, if the petitioner is not inclined to enter into an agreement, it is also open to the respondents to acquire the land under Section 147of the Act by initiating proceedings under the Land Acquisition Act, 1984.

Hence, the Writ Petition is disposed of permitting the petitioner to file her objections, if not already filed, within one week from today and if the petitioner is not inclined to avail the said benefit, it is open to the respondents to initiate action under Section 147 of the Act. However, the respondents are directed not to

dispossess the petitioner without following due procedure prescribed in law. No order as to costs.

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09-05-2007

usd/prv